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7 *Attorney for Axis Insurance Company.*

8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**  
11

12 JOHNNY WAYNE THORN, an individual,

13 Plaintiff,

14 vs.

15 AXIS INSURANCE COMPANY, an insurance  
company doing business in Nevada; DOES I  
16 through X, inclusive; XYZ CORPORATIONS  
17 XI through XX; and ABC LIMITED  
LIABILITY COMPANIES XXI through XXX,

18 Defendants.  
19

CASE NO. 2:23-cv-02093-JAD-DJA

**STIPULATED DISCOVERY PLAN AND  
SCHEDULING ORDER**

- 20 **1. Meeting:** The parties conducted the Rule 26(f) conference on January 17, 2024.  
21 **2. Pre-Discovery Disclosures:** The parties have not yet served their Rule 26(a)(1) disclosures, but  
22 have agreed to do so no by no later than January 31, 2024.  
23 **3. Discovery Plan:** The parties propose a standard discovery period of 180 days, measured from  
24 removal on December 19, 2023. The parties met on January 17, 2024 for the Rule 26(f) conference  
25 and propose the following:

26 ///

27 ///

28 ///

	<b>Discovery Schedule</b>
Amending the Pleadings and Adding Parties	<del>April 17, 2024</del> <b>March 18, 2024</b>
Initial Expert Disclosures	April 17, 2024
Rebuttal Expert Disclosures	May 17, 2024
Discovery Closes	June 17, 2024
Dispositive Motions	July 17, 2024
Pre-Trial Order, if no Dispositive Motions	August 16, 2024

The parties certify that they have conferred about the possibility of using alternative dispute resolution processes, but concluded they are not mutually beneficial at this time. The parties also considered consent to trial by a magistrate judge and the use of the Short Trial Program. Further, the parties have discussed electronic evidence, but to date have no electronic evidence to present.

Dated: January 22<sup>nd</sup>, 2024

**COZEN O'CONNOR**

/s/ Jonathan A. Rich

Jan K. Tomasik, Esq.  
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Jonathan A. Rich, Esq.  
Nevada Bar No. 15312  
500 North Rainbow Blvd., Suite 300  
Las Vegas, Nevada 89107  
*Attorneys for Defendant*  
*Axis Insurance Company*

Dated: January 22<sup>nd</sup>, 2024

**KIDWELL & GALLAGHER**

/s/ Barbara W. Gallagher

Barbara W. Gallagher  
Nevada Bar No. 5315  
790 Commercial Street  
Elko, Nevada 89801  
*Attorneys for Plaintiff*  
*Johnny Wayne Thorn*

### **ORDER**

Having reviewed the parties' Stipulation, the Court finds that the deadline to amend pleadings and add parties deviates from LR 26-1(b)(2) and therefore modifies it. Accordingly, the stipulation is **granted in part** and **denied in part**. The deadline for amending pleadings and adding parties is March 18, 2024. IT IS SO ORDERED.

DATED: 1/25/2024

  
\_\_\_\_\_  
DANIEL J. ALBRECHTS  
UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

Pursuant to Fed. R. Civ. P. 5(b), I certify that I am an employee of COZEN O’CONNOR, and that on this 22<sup>nd</sup> day of January, 2024, I served a true and correct copy of the foregoing **STIPULATED DISCOVERY PLAN AND SCHEDULING ORDER** as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☒ via electronic means by operation of the Court’s electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk;

Barbara W. Gallagher, Esq. KIDWELL & GALLAGHER, LTD. 790 Commercial Street Elko, NV 89801 Email: barbara@kidwellgallagher.com	
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*Attorneys for Plaintiff*

By: /s/ Sherry Harper  
An Employee of Cozen O’Connor

## Harper, Sherry

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**From:** Barbara Gallagher <barbara@kidwellgallagher.com>  
**Sent:** Monday, January 22, 2024 11:01 AM  
**To:** Rich, Jonathan A.  
**Cc:** Cassie Wolf; Hampton, Regina  
**Subject:** Re: Thorn v. Axis Insurance Co re: Confirmation on Proposed Discovery Scheduling Order

**\*\*EXTERNAL SENDER\*\***

Good morning,

Thank you for getting this done. You have my permission to affix my signature and get this filed.

Barbara W. Gallagher, Esq.  
Kidwell & Gallagher, Ltd.  
790 Commercial Street  
Elko, NV 89801  
O: 775.738.1000  
Barbara@kidwellgallagher.com

On Jan 22, 2024, at 9:19 AM, Rich, Jonathan A. <JARich@cozen.com> wrote:

Good Morning Barbara,

Attached for your review is a copy of the parties proposed Discovery Scheduling Order. Please let us know if we are ok to finalize and affix e-signatures prior to submitting to the Court.

Respectfully,



**Jonathan A. Rich**  
**Associate Attorney | Cozen O'Connor**  
500 North Rainbow Blvd, Suite 300 | Las Vegas, NV 89107  
P: 702-470-2324 F: 702 470 2359  
[Email](#) | [Map](#) | [cozen.com](#)

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**From:** Rich, Jonathan A.  
**Sent:** Monday, January 22, 2024 8:16 AM  
**To:** 'Barbara Gallagher' <barbara@kidwellgallagher.com>  
**Cc:** Cassie Wolf <cassie@kidwellgallagher.com>; Hampton, Regina <RHampton@cozen.com>  
**Subject:** Re: Thorn v. Axis Insurance Co re: Confirmation on Proposed Joint Status Report

Good Morning Barbara,

I hope you had a good weekend. Attached is a copy of the proposed Joint Status Report, please let us know if you have any additional revisions, or if we are ok to affix your e-signature and submit to the Court.

Respectfully,



**Jonathan A. Rich**  
**Associate Attorney | Cozen O'Connor**  
500 North Rainbow Blvd, Suite 300 | Las Vegas, NV 89107  
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<Stipulated Discovery Plan and Scheduling Order.docx>